

RESOLUTION NUMBER R- 312425

DATE OF FINAL PASSAGE APR 25 2019

A RESOLUTION OF THE COUNCIL OF THE CITY OF SAN DIEGO ALLOCATING \$3,500 TO KIWANIS FOUNDATION OF TIERRASANTA FOR THE TIERRASANTA OKTOBERFEST, PURSUANT TO COUNCIL POLICY 100-23, "CITY COUNCIL FUNDING FOR ARTS, CULTURE AND COMMUNITY FESTIVALS WITH DISCRETIONARY TRANSIENT OCCUPANCE TAX ALLOCATION."

WHEREAS, the San Diego City Council (City Council) adopted Council Policy 100-23, entitled "City Council Funding of Arts, Culture and Community Festivals with Transient Occupancy Tax Allocation" on August 13, 2012, by San Diego Resolution R-307625; and

WHEREAS, Council Policy 100-23 provides a procedure and uniform requirements for awarding funds to and contracting with private non-profit organizations that produce programs, projects and events that (i) provide access to excellence in culture and the arts for residents of, and visitors to San Diego, and (ii) enrich the lives of the people of San Diego and build healthy, vital neighborhoods; and

WHEREAS, the Kiwanis Foundation of Tierrasanta has requested funding for the Tierrasanta Oktoberfest; and

WHEREAS, the requested funding will be used for expenses incurred in marketing the event, such as printing fliers that will be distributed by the local newspaper, printing tickets, and printing colorful place mats showing the names of donors and supporters; and

WHEREAS, the Kiwanis Foundation of Tierrasanta's request for funding for the Tierrasanta Oktoberfest will benefit the public by bringing whole families and the community out to enjoy each other, to reconnect with old friends, and to meet new friends as well; and

WHEREAS, it is the determination of the City Council that the above-described program fits within the parameters of Council Policy 100-23; and

WHEREAS, Council District 7 recommends an allocation of \$3,500 to the Kiwanis Foundation of Tierrasanta for the purposes set forth in this resolution; NOW, THEREFORE,

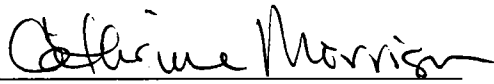
BE IT RESOLVED, by the Council of the City of San Diego, that the allocation described in this resolution is made for a public purpose.

BE IT FURTHER RESOLVED, that the City Council waives Council Policy 100-23(3)(g), which provides: "An organization may not apply to receive funding for an event or program which has already occurred, nor any capital improvement, goods, supplies, materials, or equipment which have already been purchased."

BE IT FURTHER RESOLVED, that the Mayor, or his designee, is authorized and directed to execute, for and on behalf of the City, an Agreement between the City of San Diego and the Kiwanis Foundation of Tierrasanta (Agreement) in an amount not to exceed \$3,500 for the project described in this resolution, under terms and conditions set forth in the Agreement on file in the Office of the City Clerk as Document No. RR 312425.

BE IT FURTHER RESOLVED, that the Chief Financial Officer is authorized to expend an amount not to exceed \$3,500 from Council District 7: Fund No. 200205, Cost Center 1414111218 GL512059, to provide funds for the above-referenced Agreement, contingent upon the Chief Financial Officer first furnishing one or more certificates certifying that the funds necessary for expenditure are, or will be, on deposit with the City Treasurer.

APPROVED: MARA W. ELLIOTT, City Attorney

By   
Catherine C. Morrison  
Deputy City Attorney

CCM:jvg

April 9, 2019  
Or.Dept: Council District 7  
CC No. 3000012016  
Doc. No.: 1978093

I certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of APR 23 2019.

ELIZABETH S. MALAND  
City Clerk

By   
Deputy City Clerk

Approved: 4/25/19  
(date)

  
KEVIN L. FAULCONER, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
KEVIN L. FAULCONER, Mayor

The City of San Diego  
**COMPTROLLER'S CERTIFICATE**

**CERTIFICATE OF UNALLOTTED BALANCE**

ORIGINATING DEPT. NO. 3000012016  
 1414

I HEREBY CERTIFY that the money required for the allotment of funds for the purpose set forth in the foregoing resolution is available in the Treasury, or is anticipated to come into the Treasury, and is otherwise unallotted.

Amount: \_\_\_\_\_ Fund: \_\_\_\_\_

Purpose: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Date: \_\_\_\_\_ By: \_\_\_\_\_  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
TOTAL AMOUNT									

FUND OVERRIDE

**CERTIFICATION OF UNENCUMBERED BALANCE**

I HEREBY CERTIFY that the indebtedness and obligation to be incurred by the contract or agreement authorized by the hereto attached resolution, can be incurred without the violation of any of the provisions of the Charter of the City of San Diego; and I do hereby further certify, in conformity with the requirements of the Charter of the City of San Diego, that sufficient moneys have been appropriated for the purpose of said contract, that sufficient moneys to meet the obligations of said contract are actually in the Treasury, or are anticipated to come into the Treasury, to the credit of the appropriation from which the same are to be drawn, and that the said money now actually in the Treasury, together with the moneys anticipated to come into the Treasury, to the credit of said appropriation, are otherwise unencumbered.

Not to Exceed: \_\_\_\_\_ \$3,500.00

Vendor: Kiwanis Foundation of Tierrasanta

Purpose: Tierrasanta Oktoberfest

Date: March 12, 2019 By: \_\_\_\_\_  
 COMPTROLLER'S DEPARTMENT

ACCOUNTING DATA									
Doc. Item	Fund	Funded Program	Internal Order	Functional Area	G/L Account	Business Area	Cost Center	WBS	Original Amount
1	200205			OTHR-0000000-CL	512059	1414	1414111218		\$3,500.00
TOTAL AMOUNT									\$3,500.00

CC-361 (REV 7-08)

FUND OVERRIDE

Passed by the Council of The City of San Diego on APR 23 2019, by the following vote:

Councilmembers	Yeas	Nays	Not Present	Recused
Barbara Bry	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Jennifer Campbell	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Ward	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Monica Montgomery	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mark Kersey	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Chris Cate	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Scott Sherman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vivian Moreno	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Georgette Gómez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Date of final passage APR 25 2019.

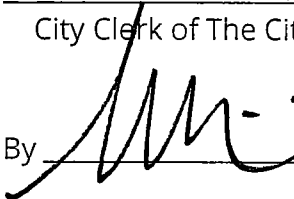
(Please note: When a resolution is approved by the Mayor, the date of final passage is the date the approved resolution was returned to the Office of the City Clerk.)

AUTHENTICATED BY:

KEVIN L. FAULCONER  
Mayor of The City of San Diego, California.

ELIZABETH S. MALAND  
City Clerk of The City of San Diego, California.

(Seal)

By , Deputy

Office of the City Clerk, San Diego, California  
**312425**  
Resolution Number R-\_\_\_\_\_